

Fill in this information to identify your case:

United States Bankruptcy Court for the:

DISTRICT OF NEVADA

Case number (if known) _____

Chapter you are filing under:

☒ Chapter 7☐ Chapter 11☐ Chapter 12☐ Chapter 13☐ Check if this is an amended filing

Official Form 101

Voluntary Petition for Individuals Filing for Bankruptcy

04/20

The bankruptcy forms use *you* and *Debtor 1* to refer to a debtor filing alone. A married couple may file a bankruptcy case together—called a *joint case*—and in joint cases, these forms use *you* to ask for information from both debtors. For example, if a form asks, “Do you own a car,” the answer would be yes if either debtor owns a car. When information is needed about the spouses separately, the form uses *Debtor 1* and *Debtor 2* to distinguish between them. In joint cases, one of the spouses must report information as *Debtor 1* and the other as *Debtor 2*. The same person must be *Debtor 1* in all of the forms.

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Identify Yourself**About Debtor 1:****About Debtor 2 (Spouse Only in a Joint Case):****1. Your full name**

Write the name that is on your government-issued picture identification (for example, your driver's license or passport).

DEAN

First name

WILLIAM

Middle name

Bring your picture identification to your meeting with the trustee.

GERLING

Last name and Suffix (Sr., Jr., II, III)

ERIKA

First name

OLIVIA

Middle name

GERLING

Last name and Suffix (Sr., Jr., II, III)

2. All other names you have used in the last 8 years

Include your married or maiden names.

3. Only the last 4 digits of your Social Security number or federal Individual Taxpayer Identification number (ITIN)**xxx-xx-6502****xxx-xx-6566**

Debtor 1 **DEAN WILLIAM GERLING**
 Debtor 2 **ERIKA OLIVIA GERLING**

Case number (if known) _____

About Debtor 1:

About Debtor 2 (Spouse Only in a Joint Case):

4. Any business names and Employer Identification Numbers (EIN) you have used in the last 8 years

☒ I have not used any business name or EINs.

☒ I have not used any business name or EINs.

Include trade names and *doing business as* names

Business name(s)

Business name(s)

EIN

EIN

5. Where you live

**151 South 4th Street
Beatty, NV 89003**

Number, Street, City, State & ZIP Code

Nye

County

If your mailing address is different from the one above, fill it in here. Note that the court will send any notices to you at this mailing address.

**P.O. Box 486
Beatty, NV 89003**

Number, P.O. Box, Street, City, State & ZIP Code

If Debtor 2 lives at a different address:

Number, Street, City, State & ZIP Code

County

If Debtor 2's mailing address is different from yours, fill it in here. Note that the court will send any notices to this mailing address.

Number, P.O. Box, Street, City, State & ZIP Code

6. Why you are choosing this district to file for bankruptcy

Check one:

☒ Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.

☐ I have another reason.
Explain. (See 28 U.S.C. § 1408.)

Check one:

☒ Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.

☐ I have another reason.
Explain. (See 28 U.S.C. § 1408.)

Debtor 1 **DEAN WILLIAM GERLING**
 Debtor 2 **ERIKA OLIVIA GERLING**

Case number (if known) _____

Part 2: Tell the Court About Your Bankruptcy Case

7. **The chapter of the Bankruptcy Code you are choosing to file under** *Check one.* (For a brief description of each, see *Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy (Form 2010)*). Also, go to the top of page 1 and check the appropriate box.
- ☒ Chapter 7
☐ Chapter 11
☐ Chapter 12
☐ Chapter 13
-
8. **How you will pay the fee** ☐ **I will pay the entire fee when I file my petition.** Please check with the clerk's office in your local court for more details about how you may pay. Typically, if you are paying the fee yourself, you may pay with cash, cashier's check, or money order. If your attorney is submitting your payment on your behalf, your attorney may pay with a credit card or check with a pre-printed address.
- ☒ **I need to pay the fee in installments.** If you choose this option, sign and attach the *Application for Individuals to Pay The Filing Fee in Installments* (Official Form 103A).
- ☐ **I request that my fee be waived** (You may request this option only if you are filing for Chapter 7. By law, a judge may, but is not required to, waive your fee, and may do so only if your income is less than 150% of the official poverty line that applies to your family size and you are unable to pay the fee in installments). If you choose this option, you must fill out the *Application to Have the Chapter 7 Filing Fee Waived* (Official Form 103B) and file it with your petition.
-
9. **Have you filed for bankruptcy within the last 8 years?** ☒ No.
☐ Yes.
- | | | |
|----------------|------------|-------------------|
| District _____ | When _____ | Case number _____ |
| District _____ | When _____ | Case number _____ |
| District _____ | When _____ | Case number _____ |
-
10. **Are any bankruptcy cases pending or being filed by a spouse who is not filing this case with you, or by a business partner, or by an affiliate?** ☒ No
☐ Yes.
- | | |
|-----------------------------|---------------------------|
| Debtor _____ | Relationship to you _____ |
| District _____ | When _____ |
| Case number, if known _____ | |
| Debtor _____ | Relationship to you _____ |
| District _____ | When _____ |
| Case number, if known _____ | |
-
11. **Do you rent your residence?** ☒ No. Go to line 12.
☐ Yes. Has your landlord obtained an eviction judgment against you?
- ☐ No. Go to line 12.
☐ Yes. Fill out *Initial Statement About an Eviction Judgment Against You* (Form 101A) and file it as part of this bankruptcy petition.

Debtor 1 **DEAN WILLIAM GERLING**
 Debtor 2 **ERIKA OLIVIA GERLING**

Case number (if known) _____

Part 3: Report About Any Businesses You Own as a Sole Proprietor**12. Are you a sole proprietor of any full- or part-time business?**☒ No. Go to Part 4.☐ Yes. Name and location of business

A sole proprietorship is a business you operate as an individual, and is not a separate legal entity such as a corporation, partnership, or LLC.

If you have more than one sole proprietorship, use a separate sheet and attach it to this petition.

Name of business, if any _____

Number, Street, City, State & ZIP Code _____

Check the appropriate box to describe your business:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ None of the above

13. Are you filing under Chapter 11 of the Bankruptcy Code, and are you a small business debtor or a debtor as defined by 11 U.S.C. § 1182(1)?

If you are filing under Chapter 11, the court must know whether you are a small business debtor or a debtor choosing to proceed under Subchapter V so that it can set appropriate deadlines. If you indicate that you are a small business debtor or you are choosing to proceed under Subchapter V, you must attach your most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).

For a definition of *small business debtor*, see 11 U.S.C. § 101(51D).

☒ No. I am not filing under Chapter 11.☐ No. I am filing under Chapter 11, but I am NOT a small business debtor according to the definition in the Bankruptcy Code.☐ Yes. I am filing under Chapter 11, I am a small business debtor according to the definition in the Bankruptcy Code, and I do not choose to proceed under Subchapter V of Chapter 11.☐ Yes. I am filing under Chapter 11, I am a debtor according to the definition in § 1182(1) of the Bankruptcy Code, and I choose to proceed under Subchapter V of Chapter 11.**Part 4: Report if You Own or Have Any Hazardous Property or Any Property That Needs Immediate Attention****14. Do you own or have any property that poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety? Or do you own any property that needs immediate attention?**☒ No.☐ Yes. What is the hazard? _____

If immediate attention is needed, why is it needed? _____

For example, do you own perishable goods, or livestock that must be fed, or a building that needs urgent repairs?

Where is the property? _____

Number, Street, City, State & Zip Code _____

Debtor 1 **DEAN WILLIAM GERLING**
 Debtor 2 **ERIKA OLIVIA GERLING**

Case number (if known) _____

Part 5: Explain Your Efforts to Receive a Briefing About Credit Counseling

15. Tell the court whether you have received a briefing about credit counseling.

The law requires that you receive a briefing about credit counseling before you file for bankruptcy. You must truthfully check one of the following choices. If you cannot do so, you are not eligible to file.

If you file anyway, the court can dismiss your case, you will lose whatever filing fee you paid, and your creditors can begin collection activities again.

About Debtor 1:

You must check one:

- ☒ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.**

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

- ☐ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.**

Within 14 days after you file this bankruptcy petition, you **MUST** file a copy of the certificate and payment plan, if any.

- ☐ **I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.**

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy. If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

- ☐ **I am not required to receive a briefing about credit counseling because of:**
- ☐ **Incapacity.**
I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.
- ☐ **Disability.**
My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.
- ☐ **Active duty.**
I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver credit counseling with the court.

About Debtor 2 (Spouse Only in a Joint Case):

You must check one:

- ☒ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.**

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

- ☐ **I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.**

Within 14 days after you file this bankruptcy petition, you **MUST** file a copy of the certificate and payment plan, if any.

- ☐ **I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.**

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

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If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

- ☐ **I am not required to receive a briefing about credit counseling because of:**
- ☐ **Incapacity.**
I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.
- ☐ **Disability.**
My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.
- ☐ **Active duty.**
I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

Debtor 1 **DEAN WILLIAM GERLING**
 Debtor 2 **ERIKA OLIVIA GERLING**

Case number (if known) _____

Part 6: Answer These Questions for Reporting Purposes

| | | |
|--|------|---|
| 16. What kind of debts do you have? | 16a. | Are your debts primarily consumer debts? <i>Consumer debts</i> are defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input type="checkbox"/> No. Go to line 16b. <input checked="" type="checkbox"/> Yes. Go to line 17. |
| | 16b. | Are your debts primarily business debts? <i>Business debts</i> are debts that you incurred to obtain money for a business or investment or through the operation of the business or investment. <input type="checkbox"/> No. Go to line 16c. <input type="checkbox"/> Yes. Go to line 17. |
| | 16c. | State the type of debts you owe that are not consumer debts or business debts _____ |

| | | |
|--|--|---|
| 17. Are you filing under Chapter 7? Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available for distribution to unsecured creditors? | <input type="checkbox"/> No. | I am not filing under Chapter 7. Go to line 18. |
| | <input checked="" type="checkbox"/> Yes. | I am filing under Chapter 7. Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available to distribute to unsecured creditors? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes |

| | | | |
|---|--|--|---|
| 18. How many Creditors do you estimate that you owe? | <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 | <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5001-10,000 <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> More than 100,000 |
|---|--|--|---|

| | | | |
|--|---|--|--|
| 19. How much do you estimate your assets to be worth? | <input checked="" type="checkbox"/> \$0 - \$50,000 <input type="checkbox"/> \$50,001 - \$100,000 <input type="checkbox"/> \$100,001 - \$500,000 <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$1,000,001 - \$10 million <input type="checkbox"/> \$10,000,001 - \$50 million <input type="checkbox"/> \$50,000,001 - \$100 million <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> \$500,000,001 - \$1 billion <input type="checkbox"/> \$1,000,000,001 - \$10 billion <input type="checkbox"/> \$10,000,000,001 - \$50 billion <input type="checkbox"/> More than \$50 billion |
|--|---|--|--|

| | | | |
|---|---|--|--|
| 20. How much do you estimate your liabilities to be? | <input type="checkbox"/> \$0 - \$50,000 <input type="checkbox"/> \$50,001 - \$100,000 <input checked="" type="checkbox"/> \$100,001 - \$500,000 <input type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$1,000,001 - \$10 million <input type="checkbox"/> \$10,000,001 - \$50 million <input type="checkbox"/> \$50,000,001 - \$100 million <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> \$500,000,001 - \$1 billion <input type="checkbox"/> \$1,000,000,001 - \$10 billion <input type="checkbox"/> \$10,000,000,001 - \$50 billion <input type="checkbox"/> More than \$50 billion |
|---|---|--|--|

Part 7: Sign Below**For you**

I have examined this petition, and I declare under penalty of perjury that the information provided is true and correct.

If I have chosen to file under Chapter 7, I am aware that I may proceed, if eligible, under Chapter 7, 11, 12, or 13 of title 11, United States Code. I understand the relief available under each chapter, and I choose to proceed under Chapter 7.

If no attorney represents me and I did not pay or agree to pay someone who is not an attorney to help me fill out this document, I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I understand making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

/s/ DEAN WILLIAM GERLING**DEAN WILLIAM GERLING**

Signature of Debtor 1

/s/ ERIKA OLIVIA GERLING**ERIKA OLIVIA GERLING**

Signature of Debtor 2

 Executed on **December 10, 2020**
 MM / DD / YYYY

 Executed on **December 10, 2020**
 MM / DD / YYYY

Debtor 1 **DEAN WILLIAM GERLING**
 Debtor 2 **ERIKA OLIVIA GERLING**

Case number (if known) _____

For your attorney, if you are represented by one

If you are not represented by an attorney, you do not need to file this page.

I, the attorney for the debtor(s) named in this petition, declare that I have informed the debtor(s) about eligibility to proceed under Chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each chapter for which the person is eligible. I also certify that I have delivered to the debtor(s) the notice required by 11 U.S.C. § 342(b) and, in a case in which § 707(b)(4)(D) applies, certify that I have no knowledge after an inquiry that the information in the schedules filed with the petition is incorrect.

/s/ Seth D Ballstaedt, Esq.

Signature of Attorney for Debtor

Date

December 10, 2020

MM / DD / YYYY

Seth D Ballstaedt, Esq.

Printed name

Ballstaedt Law Firm DBA Ball Bankruptcy

Firm name

9555 S. Eastern Ave, Ste #285

Las Vegas, NV 89123

Number, Street, City, State & ZIP Code

Contact phone **(702) 715-0000**

Email address

help@bkvegas.com

11516 NV

Bar number & State

DEAN WILLIAM GERLING
ERIKA OLIVIA GERLING
P.O. Box 486
Beatty, NV 89003

Seth D Ballstaedt, Esq.
Ballstaedt Law Firm DBA Ball Bankruptcy
9555 S. Eastern Ave, Ste #285
Las Vegas, NV 89123

Alliant CU
Acct No 4053744023448211
Attn: Bankruptcy
Po Box 66945
Chicago, IL 60666

Ally Financial
Acct No 611924935746
Attn: Bankruptcy
Po Box 380901
Bloomington, MN 55438

Bank of America
Acct No 4888940087555641
Attn: Bankruptcy
Po Box 982234
El Paso, TX 79998

Bank of America
Acct No 5329063077787282
Attn: Bankruptcy
Po Box 982234
El Paso, TX 79998

Barclays Bank Delaware
Acct No 000068898862409
Attn: Bankruptcy
Po Box 8801
Wilmington, DE 19899

Capital One
Acct No 5178059392260601
Attn: Bankruptcy
Po Box 30285
Salt Lake City, UT 84130

Cashcall Inc
Acct No 1068269
Attn: Bankruptcy
Po Box 66007
Anaheim, CA 92816

Chase Card Services
Acct No 4266841556662979
Attn: Bankruptcy
Po Box 15298
Wilmington, DE 19850

Chase Card Services
Acct No 4408041028902298
Attn: Bankruptcy
Po Box 15298
Wilmington, DE 19850

Chase Card Services
Acct No 418586197024
Attn: Bankruptcy
Po Box 15298
Wilmington, DE 19850

Citibank
Acct No 5424181285632944
Citicorp Credit Srvs/Centralized Bk dept
Po Box 790034
St Louis, MO 63179

Citibank/The Home Depot
Acct No 6035320830693386
Citicorp Credit Srvs/Centralized Bk dept
Po Box 790034
St Louis, MO 63179

Citibank/The Home Depot
Acct No 6035320504034487
Citicorp Credit Srvs/Centralized Bk dept
Po Box 790034
St Louis, MO 63179

Dept. of Employment, Training & Rehab
Employment Security Division
500 East Third Street
Carson City, NV 89713

Discover Bank
Acct No 20CV00012
c/o Guglielmo & Associates
415 South Sixth St. Suite 320
Las Vegas, NV 89101

Discover Financial
Acct No 6011001311687422
Attn: Bankruptcy
Po Box 3025
New Albany, OH 43054

Discover Financial
Acct No 601100921456
Attn: Bankruptcy
Po Box 3025
New Albany, OH 43054

ECMC
Acct No 700001972016011
Attn: Bankruptcy
111 Washington Ave South, Ste 1400
Minneapolis, MN 55401

ECMC
Acct No 4815865021
Attn: Bankruptcy
111 Washington Ave South, Ste 1400
Minneapolis, MN 55401

ECMC
Acct No 700002050169374
Attn: Bankruptcy
111 Washington Ave South, Ste 1400
Minneapolis, MN 55401

ECMC
Acct No 5462565661
Attn: Bankruptcy
111 Washington Ave South, Ste 1400
Minneapolis, MN 55401

EdFinancial Services
Acct No 500000042413474
Attn: Bankruptcy
Po Box 36008
Knoxville, TN 37930

EdFinancial Services
Acct No 500000018265924
Attn: Bankruptcy
Po Box 36008
Knoxville, TN 37930

Freedom Mortgage Corp
Acct No 200410297
Attn: Bankruptcy Department
1131 W 6th Street, Suite 100
Ontario, CA 91762

Freedom Mortgage Corporation
Acct No 53208757
Attn: Bankruptcy
907 Pleasant Valley Ave, Ste 3
Mt Laurel, NJ 08054

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

Kohls/Capital One
Acct No 6393050796161420
Attn: Credit Administrator
Po Box 3043
Milwaukee, WI 53201

Midland Fund
Acct No 302675941
Attn: Bankruptcy
350 Camino De La Reine Ste 100
San Diego, CA 92108

Nevada Dept. of Taxations, Bankruptcy
555 E Washington Ave, #1300
Las Vegas, NV 89101

Portfolio Recovery
Acct No 5218531400257938
Attn: Bankruptcy
120 Corporate Blvd
Norfolk, VA 23502

Synchrony Bank/Amazon
Acct No 6045781085321981
Attn: Bankruptcy
Po Box 965060
Orlando, FL 32896

Synchrony Bank/Care Credit
Acct No 6019183246626865
Attn: Bankruptcy Dept
Po Box 965064
Orlando, FL 32896

The Bureaus Inc
Acct No 416369539
Attn: Bankruptcy
650 Dundee Rd, Ste 370
Northbrook, IL 60062

United Consumer Financial Services
Acct No 65132821
Attn: Bankruptcy
865 Bassett Road
Westlake, OH 44145

United States Trustee
300 Las Vegas Blvd. South #4300
Las Vegas, NV 89101

Us Bank Home Mortgage
Acct No 5156800132051
Attn: Bankruptcy
4801 Frederica St
Owensboro, KY 42301

Wells Fargo Bank NA
Acct No 4147180123894590
Mac F823f-02f
Po Box 10438
Des Moines, IA 50306

Wells Fargo Bank NA
Acct No 407110003254
Mac F8234f-02f
Po Box 10438
Des Moines, IA 50306

Wells Fargo Dealer Services
Acct No 518880738468
Attn: Bankruptcy
1100 Corporate Center Drive
Raleigh, NC 27607

Zions Bank
Acct No 4269981032019217
Attn: Bankruptcy
Po Box 30709
Salt Lake City, UT 84130